

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CASE NO. 3:16-CR-00060-M
	§	
	§	EMERGENCY RELIEF
JEFFREY EUGENE FULLER (05)	§	REQUESTED

**EMERGENCY MOTION FOR MODIFICATION OF SENTENCE SEEKING
COMPASSIONATE RELEASE TO HOME CONFINEMENT DUE TO COVID-19**

COMES NOW Defendant, JEFFREY EUGENE FULLER, through undersigned counsel, to respectfully and urgently move this Court, pursuant to 18 U.S.C. § 3582(c)(1)(A) and the Eighth and Fourteenth Amendments, to modify Mr. Jeffrey Eugene Fuller term of imprisonment and order his immediate release to home confinement, with the remainder of the term of his sentence to be replaced by an equal period of home confinement, along with any further modifications or conditions the Court deems appropriate and necessary. Mr. Fuller would further move that he be allowed to serve the balance of any resulting home confinement at the home of his sister-in-law, in Dallas, Texas, and that he be immediately released to quarantine for 14 days there and then shelter in place for the remainder of his sentence. Finally, to the extent required by the Court, Mr. Fuller would move the Court order the immediate release of his medical records to the Court for consideration.

This motion is brought as Mr. Fuller suffers from hypertension, has recurrent bronchitis, and is fifty-five years old, each of which place him at a higher risk for severe disease or death from COVID-19. Accordingly, this modification is requested not to evade Mr. Fuller's sentence, nor to diminish the severity of any crimes associated with it, but simply to ask that he be allowed to serve

the remainder of his sentence safely, in home confinement, and avoid becoming a statistic cited in a similar motion by another inmate. This relief is sought as this Court sentenced Mr. Fuller to incarceration, not prolonged exposure to the unreasonable chance of severe disease or death.

The government opposes the relief sought by Mr. Fuller. Mr. Fuller appreciates the difficulties facing both the Court and counsel in conducting hearings and the business of the Court at present, but is the very pandemic that places his life in danger that has caused such difficulties. As such, and given the nature of the danger faced by Mr. Fuller, he would further move that the Court condense the time for response and resolution of to this motion or issue such other orders as would allow the Court to conduct a hearing on this matter as soon as possible, via telephone or other media, to grant or deny the relief sought herein, in keeping with the Court's recently issued Special Orders 13-5 and 13-9.

Respectfully Submitted,

/s/ Skyler Y. Stuckey

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CERTIFICATE OF CONFERENCE

On April 10, 2020, I conferred with Mr. Douglas Brasher, counsel on behalf of the United States, via email regarding the filing of this motion and Mr. Brasher stated that the government would be opposed to the relief requested herein.

/s/ Skyler Y. Stuckey

SKYLER Y. STUCKEY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 16, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to all counsel of record.

/s/ Skyler Y. Stuckey

SKYLER Y. STUCKEY